



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, September 28, 2009

*Commissioner Joyce Avery, Chairman
Commissioner Sidney Chism, Chairman Pro Tempore
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner George Flinn
Commissioner Joe Ford*

*Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Matt Kuhn
Commissioner Deidre Malone
Commissioner Steve Mulroy
Commissioner Mike Ritz*

9/25/2009 10:39 AM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman Joyce Avery

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

**Pastor Alette Shappley, Women's
Ministry
First Assembly of God-Memphis**

PLEDGE OF ALLEGIANCE

ROLL CALL

**Approval of Minutes of Previous Session
August 31, 2009
September 14, 2009**

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

Ordinances

FORD

Chairman, Hospitals
and Health Committee

1. [ORDINANCE - SECOND READING - Ordinance by the Board of County Commissioners of Shelby County, Tennessee, to amend Chapter 14.5 of the Shelby County Code of Ordinances to retain the same annual emission fees earmarked for the Memphis and Shelby County Health Department's Air Pollution Program, which are charged to air pollution emission sources for the calendar year 2007 as a review of funds on hand indicate a continued balance sufficient to fund the air program. Sponsored by Commissioner Joyce Avery.](#)

FLINN

Chairman, General
Government
Committee

2. [ORDINANCE - FIRST READING - An ordinance to amend the Shelby County Code of Ordinances by adding a new section to Chapter 2, Article II to establish procedures for boards, commissions, authorities, and other public bodies relative to compliance with the public notice provisions of the Tennessee Open Meetings Act. Sponsored by Commissioner George Flinn. \(DEFERRED TO 10/12/09\)](#)

BROOKS

Chairman, Core City
Committee

3. [ORDINANCE - SECOND READING - an ordinance to amend the Code of Ordinances of Shelby County, Tennessee, to include regulations for the proper disposal of tires and the registration of certain tire businesses within Shelby County. Sponsored by Commissioner Steve Mulroy. \(DEFERRED TO 10/12/09\)](#)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

GIBSON

Chairman, Budget and
Finance Committee

4. A resolution approving an addendum to the existing general services agreement with XO Communications, Inc., in the amount of \$30,000 for telecommunications services for the purpose of providing standardized long-distance calling services on all County telephone circuits. This requires expenditure of County General Funds in the amount of \$30,000. Resolution sponsored by Commissioner J.W. Gibson II.

GIBSON

Chairman, Budget and
Finance Committee

5. A resolution approving an amendment to the existing contract with Global Tel*Link for the provision of inmate telephone services. The amendment will extend the contract term for an additional three years, allowing Global Tel*Link to recoup capital costs incurred in the installation of 84 additional phones and 149 privacy enclosures as requested by the Shelby County Sheriff. Resolution sponsored by Commissioner J.W. Gibson II.

MALONE

Chairman, Public
Works Committee

6. Resolution to sell a County owned parcel of land, 4,860 square feet (0.112 acres) in size, located on the southwest corner of Graceland Drive and Raines Road, to T. David Goodwin Company for \$500.00; and to authorize the Mayor to execute a quit claim deed transferring said parcel of land to T. David Goodwin Company. Sponsored by Commissioner Wyatt Bunker.

FORD

Chairman, Hospitals
and Health Committee

7. A resolution approving an amendment to the FY2009-2010 operating budget of the Memphis & Shelby County Health Department's County Schools Nurses Program increasing the budget in the amount of \$350,477.00 for the provision of nursing services by Registered Nurses and Licensed Practical Nurses to Shelby County Schools and an amendment to the FY2009-2010 position control budget and the appropriation of said funds. This item requires the expenditure of Grant funds received from Shelby County Schools in the amount of \$350,477.00.00. Resolution sponsored by Commissioner Joe Ford.

FORD

Chairman, Hospitals
and Health Committee

8. A resolution approving an amendment to the FY2009-2010 operating budget of the Mid-South Sexual Assault Resource Center (MSARC) program decreasing the net general fund budget in the amount of \$252,274.00 and amending the grant budgets for the provision of sexual assault victim services and an amendment to the FY2009-2010 position control budget and the appropriation of said funds. This item requires the expenditure of General Fund funds in the amount of \$226,303.00 and State Grant funds in the amount of \$257,134.00. Resolution sponsored by Commissioner Joe Ford.

CHISM

Chairman, Law
Enforcement
Committee

9. Resolution to approve the acceptance of the American Recovery and Reinvestment Act Justice Assistance Grant award for the West Tennessee Drug Task Force Interdiction Enhancement Project in the amount of \$340,000 to amend the operating budget, to amend the personnel budget, and to appropriate said funds. This resolution requires expenditure of State Grant Funds in the amount of \$340,000. Sponsored by Commissioner Sidney Chism.

CHISM

Chairman, Law
Enforcement
Committee

10. A resolution amending the FY 2010 Operating Budget on the amount of \$149,000.00 for the Emergency Management Agency (EMA), Emergency Management Performance Grant (EMPG) Program to further strengthen EMA's ability to support emergency management activities and this item requires the acceptance and expenditure of Pass Through Grant Funds under the U.S. Department of Homeland Security Grant Programs in the amount of \$149,000.00 and amending the FY 2010 Operating Budget. Sponsored by Commissioner Sidney Chism.

CHISM

Chairman, Law
Enforcement
Committee

11. Resolution amending the FY10 budget for Federal grant funds for the Fatherhood 2 and Fatherhood 5 programs from the US Department of Health and Human Services and awarding contract to Social Solutions Global, Inc. in the amount of \$85,532.00. This resolution allows the expenditure of \$42,766.00 from the Fatherhood 2 Grant Fund and \$56,766.00 from the Fatherhood 5 Grant Fund. Sponsored by Commissioner Sidney Chism. (WITHDRAWN IN COMMITTEE 9/23/09)

CHISM

Chairman, Law
Enforcement
Committee

12. Resolution amending the FY 2010 Operating Budget for a U.S. Department of Justice Grant in the amount of \$984,079.00 for the Edward Byrne Memorial Justice Assistance Program for the period of October 1, 2008 through September 30, 2012. This item requires expenditures of U.S. Department of Justice Grant Funds in the amount of \$984,079.00 in FY 2010. Sponsored by Commissioner Mike Carpenter. (ADD-ON IN COMMITTEE 9/23/09)

KUHN

Chairman,
Conservation
Committee

13. Resolution to approve the transfer of Ross Road Park property, including 8.76 Acres of land upon which the park is situated and all existing park improvements, equipment and inventory thereon, owned by Shelby County, for the use and benefit of the Shelby County Conservation Board, located at 4890 Ross Road in Memphis, Tennessee, to Shelby County Government without monetary consideration. Sponsored by Commissioner Matt Kuhn.

KUHN

Chairman,
Conservation
Committee

14. Resolution to approve the transfer of Ross Road Park Property, Including 8.76 acres of land upon which the park is situated and all existing park improvements, equipment and inventory thereon, owned by Shelby County, located at 4890 Ross Road in Memphis, Tennessee, to the Board of Education of the Memphis City Schools without monetary consideration. Sponsored by Commissioner Matt Kuhn.

FLINN
Chairman, General
Government
Committee

15. Resolution approving CIGNA Insurance Company as vendor for all Shelby County Government employee life and disability insurance coverages. Sponsored by Commissioner George Flinn.

FLINN
Chairman, General
Government
Committee

16. Resolution approving Shelby County Assessor's 2013 four year reappraisal plan. Sponsored by Commissioner Joe Ford.

FLINN
Chairman, General
Government
Committee

17. Resolution to approve an amendment to the contract with Tony Lanigan Moving Services for an additional one year renewal requiring the expenditure of funds in the amount of \$115,000.00 for the furnishing of drayage services to the Election Commission for voting machines and equipment and this item requires expenditure of County General Funds. Sponsored by Commissioner George Flinn. (ADD-ON IN COMMITTEE 9/23/09)

BROOKS
Chairman, Core City
Committee

18. A resolution amending the Department of Housing FY 10 Budget Fund 359 to accurately account for salaries and fringe benefits for three staff positions associated with the Shelby County Lead-Based Paint Hazard Control Grant during the close-out period of November 1, 2009 through February 28, 2010. Sponsored by Commissioner Mike Ritz.

BROOKS
Chairman, Delinquent
Tax Property
Committee

19. Resolution approving the sale of seventeen (17) County owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 0002, 0005, 47, 94.3, 94.5, 95.2, 96.2, 97.4, 0402, 0403, 0405, 0501, and 0502 to identified purchasers at various prices collectively totaling \$32,800.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Matt Kuhn.

REGULAR AGENDA

Elections, Appointments, and Confirmations

FLINN

Chairman, General
Government
Committee

20. [Resolution approving the County Mayor's nomination of Julie Raines for joint City-County Reappointment to the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee. Sponsored by Commissioner Joe Ford. \(SENT FROM COMMITTEE WITHOUT RECOMMENDATION\)](#)

FLINN

Chairman, General
Government
Committee

21. [Resolution approving the County Mayor's nomination of Janice A. Banks, Stacey Greenberg, Sherrell J. Lott, and Sherman L. Holman for reappointment and Barbara J. Hulette, Rickey H. Hudson, Matt Okon-Ofua, and Eva E. Mosby for appointment to the Shelby County Community Services \(CSA\) Community Advisory Board. Sponsored by Commissioner Joe Ford.](#)

FLINN

Chairman, General
Government
Committee

22. [Resolution electing interim County Trustee for Shelby County. Sponsored by Chairman Joyce Avery.](#)

FLINN

Chairman, General
Government
Committee

23. [Resolution approving the County Mayor's nomination of Gregory Taylor for reappointment to the Memphis and Shelby County Cross Connection Board. Sponsored by Commissioner Joe Ford.](#)

FLINN

Chairman, General
Government
Committee

24. [Resolution approving the election of notaries public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.](#)

Ordinances

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

GIBSON

Chairman, Budget and
Finance Committee

25. [Resolution of the Board of County Commissioners of Shelby County, Tennessee authorizing the execution and delivery of a third supplement dated as of September 29, 2009 to amended and restated interlocal agreement relating to the financing of the proposed sports and basketball arena to be financed by the Memphis and Shelby County Sports Authority, Inc., dated as of May 15, 2002 as supplemented August 10, 2004 and July 9, 2009. Sponsored by Commissioner J. W. Gibson, II.](#)

BROOKS

Chairman, Core City
Committee

26. [Resolution approving the transfer of title of one hundred forty parcels of Homestead Program Property pursuant to the Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program. Sponsored by Commissioner Steve Mulroy.](#)

MULROY

Chairman, Legislative
Committee

27. [A resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support legislation amending Tennessee Code Annotated, Title 67, Chapter 5, Section 2509\(d\)\(4\) relative to gifting properties to nonprofit community development organizations. Sponsored by Commissioner Steve Mulroy. \(AMENDED AND FAILED IN COMMITTEE 9/23/09\)](#)

MULROY

Chairman, Legislative
Committee

28. [Resolution of the Board of County Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly and the Shelby County delegation to support SB1404/HB1167 or similar legislation enacting a beverage container deposit system in Tennessee. Sponsored by Commissioner Steve Mulroy.](#)

Announcements/Statements**Adjournment**

29. Resolution of adjournment to Monday, October 12, 2009 at 1:30 p.m.